

BOARD OF SUPERVISORS

GILA COUNTY, ARIZONA

Date: May 25, 2004

JOSÉ M. SANCHEZ

Chairman

JOHN F. NELSON

Clerk of the Board

RONALD A. CHRISTENSEN

Vice-Chairman

By: Marian Sheppard
Chief Deputy Clerk

CRUZ SALAS

Member

Gila County Courthouse
Globe, Arizona

PRESENT: José M. Sanchez, Chairman; Cruz Salas, Member; and, John F. Nelson, County Manager/Clerk.

The Gila County Board of Supervisors met in Work Session at 10:00 a.m. this date. John Nelson led the Pledge of Allegiance and Dixie Mundy delivered the Invocation.

Upon motion by Supervisor Salas, seconded by Chairman Sanchez, the Board excused Vice-Chairman Christensen from today's meeting in order to attend to other County business.

At this time each Board member presented a brief summary of current events as allowed by A.R.S. §38-431.02(K). No action was taken on any items that were presented.

Chairman Sanchez addressed agenda item number three, a presentation regarding health concerns connected with standing water at the Rock House located in Roosevelt, Arizona. Jacque Griffin, Assistant County Manager/District Librarian, advised of the order of the presenters, as follows: Mr. Mitchell (Mick) Holder and Ms. Jessie Harris representing the Rock House Mosquito Abatement Committee; Ms. Janeen Rohovit, Ms. Ruth Valencia and Mr. Mark Murosky representing Salt River Project (SRP); and, Mr. David

Fletcher, Health and Community Services Division Director, representing Gila County.

Mr. Holder clarified that his purpose for attending today's meeting is not to "beat up" SRP. He stated that SRP is guilty of colossal arrogance to the Board of Supervisors, Gila County Health Department and to the citizens of the community because they failed to provide public notice of the activities pertaining to SRP's Rockhouse Mitigation Project. (As clarification of these minutes, SRP refers to this project as the Rockhouse Mitigation Project and the Rock House Mosquito Abatement Committee refers to this project as the Rock House Wetlands Project.) Mr. Holder advised that he and others have contacted Congressman Renzi and other legislative representatives regarding the importance of this matter. Mr. Holder read aloud a resolution that he asked the Board to support. The resolution requests that Congressman Renzi pursue a non-participant risk assessment of the Rock House Wetlands Project, preferably through the Center for Diseases and Control, and that the lead agency, SRP, and the other four agencies hold a public meeting at or near the site so the affected public may participate and a public record will be made thereof. Mr. Holder asked Ms. Jessie Harris to provide an update on the community's concerns. Ms. Harris advised that most of the local residents are elderly and that they are terrified of the affects of this project, especially with regard to the West Nile Virus. She stated that the project is not being built on SRP land, but rather it is being built on ranch land that was acquired by condemnation. Ms. Harris questioned the reason SRP is conducting this project adjacent to the only community living alongside the river. She further expressed a concern that SRP did not make any attempts to inform the local residents about this project. Mr. Holder also reiterated a concern for not involving the local public. He credited the Gila County Health Department's efforts to inform the public about the West Nile Virus. Mr. Holder stated that if the County and/or the public had the funds to file a legal suit against SRP, it would be done and the County and public would win.

Ms. Janeen Rohovit apologized on behalf of SRP for not communicating this project to the public. She advised that hopefully an open dialogue could begin today to address the concerns and questions and that a foundation can be established for future open discussions. Ms. Rohovit advised that this is a pilot project so its continuation is unknown. She stated that Mr. Mark Murosky has been hired to work at the Rock House site and that he visits the site about twice weekly. She asked Ms. Ruth Valencia, Rockhouse Mitigation Project Manager, to speak to this issue. Ms. Valencia presented a Power Point presentation and handouts to the Board. She provided a brief background of the reasons SRP was required to do this project and the different project components. She advised that when the Southwest Willow Flycatcher was first discovered at Roosevelt Lake, SRP was faced with the issue of endangered species affecting the operation of the lake. The operation of the lake is critical to SRP's role. She advised that SRP delivers water to the downstream entities, primarily agriculture. She stated that SRP was faced with both civil and criminal penalties if there was impact on endangered species. Chairman Sanchez asked Ms. Valencia what entity owns the dam, etc. Ms. Valencia replied that to her knowledge the Bureau of Reclamation owns the dam and the land that is associated with all of the reservoirs, and SRP is responsible for delivering that water. She advised that under the Endangered Species Act there is a mechanism called an Incidental Take Permit that allows the taking of a listed species. The Permit is granted if the harm that has been done to the species can be minimized or mitigated by other actions that will benefit the species. SRP spent more than 2 years negotiating a Habitat Conservation Plan that describes the migration requirements for SRP's operations of Roosevelt Lake. She stated, "In that process the Habitat Conservation Plan triggers an Environmental Impact Statement that was done and that is the entire NEPA (National Environmental Protection Agency) process. SRP received an Incidental Take Permit in February 2003. The Permit term is for 50 years and is renewable. It allows SRP to operate the lake and dam in terms of their

deliveries or holding water relatively unfettered by the endangered species issues as long as we meet the terms and conditions of that Permit. The terms and conditions of that Permit are outlined in the Habitat Conservation Plan. All of these are public documents. Because it was such an involved process, SRP included all 4 known involved species in the Plan which is the Bald Eagle, Southwest Willow Flycatcher, Yellow Billed Cuckoo and Yuma Clapper Rail. The majority of our mitigation involves acquiring riparian lands along the San Pedro and Gila rivers for the Fly Catcher and Cuckoo.....In addition to these requirements and during this process, the Fish and Wildlife Services required SRP to establish riparian habitat at or near the lake at a location that is above the maximum pool elevation for the lake....” Ms. Valencia advised that SRP agreed to attempt a pilot project on a 20 acre site that would include the planting of at least 15 acres of cottonwood and willow trees for the Yellow Billed Cuckoo, Southwest Willow Flycatcher and Bald Eagle, and establish 5 acres of marsh habitat for the Yuma Clapper Rail. She advised that in 2001, 3 sites were identified for the pilot project. They were evaluated on soil characteristics, water quality, water availability, conveyance, site elevation, site ownership and a number of other elements. The location that best matched the criteria was the site near the Rock House. The project earthwork for the project commenced in December 2003 and was completed in March 2004. During March and April 2004, 706 cottonwood and willow trees were planted on approximately 7 acres. Fifteen acres of trees were planned to be planted this year; however, the planting has been limited until it is determined there is enough water to support the trees. Along with planting, mosquito control measures have been implemented which are associated with the operation of the irrigation ditch and the irrigation of the trees. Ms. Valencia advised that SRP is working with a consultant and the Gila County Health Department on mosquito control. She stated, “What we are doing right now to control mosquitoes is to first of all operate the system to minimize or eliminate standing water for more than 4 days. As I said before, the period may vary in

the winter which may take longer, but we don't think it will change that much. Secondly, we have an off-site manager who walks the site at least twice a week and we have another person that visits the site at least every other week to identify areas that may have standing water. Any surface water that has been standing for 4 days is sampled with a dip cup to see whether larvae are present. Any area that does have standing water, whether it has larvae or not, we evaluate to see whether we can regrade or somehow disburse that water so we don't have any problems in the future so we can immediately disburse the water manually. If there is a large amount of water that needs to be drained, SRP actually owns a pump truck that can be accessed quickly if the water needs to be dissipated if there are larvae present. Finally, if there are larvae present and water cannot be disbursed, drained or pumped, then water will be treated with a control agent. We follow that procedure very strictly." Ms. Valencia stated that the planting and startup of the wetlands remains postponed pending further evaluation of the feasibility.

Chairman Sanchez thanked Ms. Valencia for the presentation.

Ms. Rohovit provided a handout listing contact names and numbers for those SRP representatives involved on this project. She advised that SRP is open to suggestions to provide better communication to the public.

Mr. David Fletcher presented a Power Point presentation and handouts on the efforts made to date to inform the public about the West Nile Virus (WNV). He advised that the Gila County Health Department as well as many other health departments tracked the WNV as it came across the United States starting in 1999 in New York. Mr. Fletcher explained the transmission cycle of the WNV. He provided an overview of the signs and symptoms and explained that 1 in 150 people infected with the virus may require hospitalization. Mr. Fletcher advised there is no treatment for WNV and that a vaccine is not available for humans. He proceeded to provide means to protect humans and horses from the WNV. Mr. Fletcher advised that in 2003, 13 human cases were identified in Arizona, one resulting in death. Two cases were identified in

Gila County. In ending his presentation, Mr. Fletcher advised that as more cases are identified the media will create a sense of urgency. He advised that the public needs to keep this issue in perspective and stated that many more people die from flu in one year than all of the people who have died from WNV in the United States. Mr. Fletcher provided the names of agencies where more information on WNV may be obtained.

At the conclusion of the presentation, Supervisor Salas asked Mr. Fletcher when he first became aware of SRP's Rockhouse Mitigation Project. Mr. Fletcher replied that Mr. Holder contacted him about 2 to 3 months ago and informed him of this project. Supervisor Salas asked Ms. Griffin the same question. Ms. Griffin replied that she learned of this project in late January of this year. Supervisor Salas stated that he is disturbed that the Board of Supervisors was not apprised of this situation at the time other County staff learned of it. He expressed even more concern that the Bureau of Reclamation and SRP would commence a project within Gila County without informing its officials and citizens. Supervisor Salas offered his support of Mr. Holder's proposed resolution. He stated that the Board will ask the County Manager, Mr. John Nelson, to contact the Governor on this issue. Supervisor Salas stated that when Vice-Chairman Christensen is apprised of the facts presented today, he will also be upset.

Chairman Sanchez expressed his appreciation for the comments provided by the Rock House Mosquito Abatement Committee. He also expressed his disappointment for the manner in which SRP failed to communicate this project to County officials and the public. He stated, "We have an opportunity right now to make a stand and express our concerns. We need to continue our efforts to get the attention of our congressional representatives and we need to contact the Bureau of Reclamation." Chairman Sanchez advised that 15 minutes will be given for questions. Mr. Holder advised that there may be more deaths of horses infected with WNV within the County than what has been officially documented. Mr. Terry Wheeler advised

that even though an Environmental Impact Study was conducted, it was not conducted correctly because a scoping process should have been done. He advised that the NEPA process was not done properly, therefore; the process was not legal. He also advised that the government forced the landowners to sell this property. Leilani Dawn, a reporter for KQSS Radio Station, asked for the reason SRP did not utilize the media to notify the citizens of this project. Ms. Dawn advised that awhile back she contacted SRP and was given the “run around.” Chairman Sanchez thanked Ms. Dawn for her comments. He thanked Mr. Fletcher for his presentation.

Mr. Nelson advised that Congressman Renzi is concerned about this issue and his aide, Chris Udall, was unable to make today’s presentation due to a death in her family. He further advised that Congressman Renzi is anxious to hear from the Board of Supervisors on future action plans regarding this issue. Mr. Nelson asked the Board for direction on the resolution presented by Mr. Holder. The Board directed Mr. Nelson to officially present the resolution to the Board for adoption at a future meeting.

There being no further business to come before the Board, Chairman Sanchez adjourned the meeting at 11:48 a.m.

José M. Sanchez, Chairman

ATTEST:

John F. Nelson, County Manager/Clerk